

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
SARAS RAMAN, as Mother and Natural :  
Guardian of J.L., an Infant, :  
Plaintiff, :

v. :

SIMONE M. ABBOTT, CMN, a/k/a SIMONE :  
M. SPENCER, CNM, :  
Defendant. :

**ORDER**

21 CV 1525 (VB)

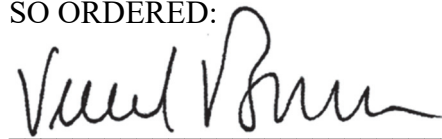
-----X  
28 U.S.C. § 1441 permits a civil action to be removed “to the district court of the United States for the district and division embracing the place where such action is pending.” 28 U.S.C. § 1441(a) (emphasis added).

According to the complaint attached to the Notice of Removal (Doc. #1-5), plaintiff originally filed this case in the New York Supreme Court, Kings County. Kings County is located within the Eastern District of New York, not the Southern District of New York. Thus, it appears this case was removed to the wrong federal district.

Accordingly, defendant is HEREBY ORDERED to submit a letter to the Court by March 1, 2021, either acknowledging this case should be transferred to the Eastern District of New York, or explaining why the case was properly removed to the Southern District. See, e.g., Kennedy v. LaCasse, 2017 WL 3098107, at \*6 (S.D.N.Y. July 20, 2017) (“Court[s] nevertheless retain[] discretion to transfer such a case to the proper district.”)

Dated: February 22, 2021  
White Plains, NY

SO ORDERED:



Vincent L. Briccetti  
United States District Judge